IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

FRIDAY, THE 1ST JUNE 2007 / 11TH JYAISHTA 1929

Bail Appl..No. 3221 of 2007()

CRIME NO.149/2007 OF KOIPURAM POLICE STATION

ACCUSED 1 AND 2 IN CRIME NO.149/2007.

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1. MONACHAN, S/O.BABY, AGED 35 YEARS,
RESIDING AT KIZHHEKOOTTU,
THAKADIPURATHU MARAMON MURI, THOTTAPUZHASSERIL VILLAGE, KOZHENCHERRY TALUK.

2. FRANCIS THOMAS,S/O.THOMAS
AGED 31 YEARS RESIDING AT KIZHKEKOOTU,
THAKADIPURATHU MARAMON MURI,
THOTTAPUZHASSERI VILLAGE,KOZHENCHERY TALUK.

BY ADV. SRI.P.GOPAKUMARAN NAIR
SRI.AJITH MURALI

RESPONDENTS: COMPLAINANT IN CRIME NO.149/2007:

STATE OF KERALA REPRESENTED BY THE
PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.

BY PUBLIC PROSECUTOR JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 01/06/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V.RAMKUMAR, J.

Bail Application No. 3221/2007

Dated this the 1st day of June, 2007

O R D E R

Petitioners who are the accused in Crime No.149/2007 of Koipuram Police Station for offences punishable under Sections 20 and 21 of the Kerala River Bank Protection and Sand Mining Regulation Act, 2001 and also under Section 353 I.P.C., seek anticipatory bail.

2. The learned Public Prosecutor opposed the application.

3. Anticipatory bail cannot be granted in a case of this nature. But at the same time, I am inclined to permit the petitioners to surrender before the Investigating Officer for the purpose of interrogation and then to have their applications for bail considered by the Magistrate having jurisdiction. Accordingly, the petitioners shall surrender before the investigating officer on any day between 11-6-2007 and 13-6-2007 for the purpose of interrogation and recovery of incriminating material, if any. The petitioners shall thereafter be produced on the same day before the Magistrate who shall release them on bail on appropriate conditions.

This application is disposed of as above.

V.RAMKUMAR
JUDGE

mrcs